

# **EXHIBIT B**

From: Seth Jones <seth@consultmts.com>  
Subject: Re: Photos and video  
Date: August 23, 2023 at 12:17:09 PM PDT  
To: Kirk Boyd <jkb@drjkb.com>  
Cc: Monique Rydel-Fortner <monique@consultmts.com>

Due to overreaching subpoenas against us from ATT related to your current case we can't assist with these requests until these are quashed and ATT doesn't continue to bully us...

These Subpoenas are completely inappropriate. No part of our work alongside the WSJ is related to this lawsuit. Even data collected in Tahoe. Nothing from our standpoint.

Sorry we can't assist currently. Hopefully ATT will decide to do the right thing moving forward. They still have a chance to spin their environmental issues into a good PR blitz. Saying they weren't aware of these issues and are happy to do the right thing and clean up old waste. The young public would love to get behind a cause like this. Invaluable marketing for ATT!

Sent from my iPhone

On Aug 23, 2023, at 11:22 AM, Kirk Boyd <jkb@drjkb.com> wrote:

Hello Seth and Monique,

I hope you're doing well and there are a couple things that we need to catch up on. One, when we met I talked with you about some photos, including photos showing fish near the cables. We need these photos to put with our fundraising webpage with the Rose Foundation. We already have one donation of \$1,000 and there others that are interested in funding, but we can't set up the webpage until we have three photos, two showing where the cable is frayed and one showing a fish next to the cable.

You may have ideas for other photos, but the ones I've seen include number 30 out of 69 on your website for California, 22 out of 69 (these two show frayed cable) - plus one with a fish at 24/69.

Can you please send me this photos right away in a format that I can easily

forward on to someone to use for the website?

Two, I don't know if you've seen it, but AT&T has come out with another report saying that the lead cables do not harm the human or environment in Lake Tahoe. (I'm attaching Navi's recent Declaration and you can see it as Exhibit A.

What's missing in their report, is an explanation of how they selected the areas in which they would test. As you know, some portions of the cable are frayed while others are not. It appears that they took samples near the cable where it is not frayed. We are going to take samples where it is frayed because that is where much of the leakage is occurring.

As we talked about in South Lake, the first step is for us to do a video survey of the entire 8 mile cable, as well as a survey of the other shorter cable across the mouth of Emerald Bay. The methodology will be that we will start at the northern most end and progress down along the cable videotaping the entire thing. Every place we find where the cable is frayed, even in a small amount, we will stop and take a GPS coordinate. We will also take photos at this location. We will do this for the entirety of both cables, and then prepare a survey list showing exactly where all the GPS coordinates are.

Samples will then be taken next to each of these GPS coordinates using a syringe that will take water within 1 inch of the cable without touching the cable. All of the samples will be tested.

We are going to invite AT&T accompany us on the dive while we videotape the cables, mark their coordinates and take photos so that if they have any complaints they can make them then and there. We have a hearing with the Court tomorrow and when I talk with the Judge I want to share with him that we are collecting the best scientific evidence in a transparent manner.

Please call me as soon as you can so that we can briefly talk about these two things.

All the best,  
<signature copy 2.png>